

Claims 1-22 were previously pending in the application. Claims 1-22 are cancelled and replaced with new claims 23-44. The new claims are believed to address the specification objection and 35 USC §112, second paragraph rejections noted in the Official Action.

Claims 1-22 are rejected as anticipated by or obvious over BROWN 4,798,850 in view of PRYNE et al. 5,874,373 or CHAPMAN 5,419,953.

Reconsideration and withdrawal of the rejections are respectfully requested because the cited references do not disclose or suggest that a ratio between the deniers of a largest one of a plurality of fibers and the denier of a finest one of a plurality of fibers is from 7:1 to 11:1 as recited in new claim 23 of the present application.

An object of the present invention is an electrostatic charge value above 1 Volt which is deemed a sufficient electrostatic charge. As seen in the chart on page 5 of the present application, this object is met by having fibers at a ratio of between 7:1 and 11:1.

BROWN at column 1, line 66 through column 2, line 1 state that the fibers are peripherally finer than 100 micrometers, preferably from 10 to 25 micrometers and preferably the fiber (i) cross-sectional area does not differ from the fiber (ii) cross-sectional area by more than a factor of 3. Accordingly, BROWN teaches a fiber ratio of at most 3:1 and also

teaches that the ratio should not exceed this value.

PRYNE et al. at column 5, lines 60-65, for example, disclose various examples. The first example teaches a first denier of 3 and a second denier 1.4 and a second example teaches a first decitex of 2.8 and a second decitex of 3.3. Accordingly, PRYNE et al. teach a ratio of at most 3:1.4. CHAPMAN is silent as to the denier and thus does not teach any denier ratio.

The above-noted feature is missing from each of the references, is absent from the combination, and thus is not obvious to one having ordinary skill in the art. Accordingly, new claim 23 is believed patentable over the cited references.

In addition, new claim 23 recites that the material when in use develops an electrostatic charge.

Each of BROWN, CHAPMAN and PRYNE et al. teach carding to develop an electrostatic charge. See column 2, lines 19-21 of BROWN and column 3, lines 64-67 of PRYNE et al. and the abstract of CHAPMAN.

Accordingly, each of the references teaches that the electrostatic charge is imparted during the manufacture of the non-woven fabric material by carding, not that the electrostatic charge develops when the non-woven fabric material is in use as recited in claim 23 of the present application.

Claims 24-42 depend from claim 23 and further define the invention and are also believed to be patentable over the cited prior art.

New claim 43 recites that a ratio between the deniers of a largest one of the plural fibers and a denier of a finest one of the plural fibers is 7:1 to 11:1. The comments above regarding claim 23 are equally applicable to claim 43.

New claim 44 recites that the electrostatic charge is only imparted to the plural fibers when one of the plural fibers of a first size rubs against another one of said plural fibers of a second size different from said first size. Support for claim 44 can be found on page 3, lines 22-30. As noted above, the electrostatic charge of the cited references is imparted by carding and is not only imparted by rubbing.

Accordingly, it is believed that the new claims avoid the rejections under §102 and §103 and are allowable over the art of record.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

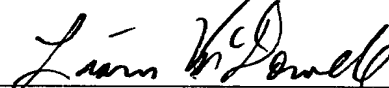
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Attached hereto is a marked-up version of the changes made to the abstract. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

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